



PATENT APPLICATION  
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LeA 33,955

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICATION OF

GUENTHER EBERZ ET AL

SERIAL NO.: 10/069,353

FILED: OCTOBER 10, 2002

TITLE: NUCLEIC ACIDS CODING FOR  
ENZYME ACTIVITIES OF  
SPINOSYN BIOSYNTHESIS

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) GROUP NO.: 1656

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) EXAMINER: C. M. KAM

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**AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Amendment is in response to the Office Action dated October 19, 2005. A three-month period was set for response to the Office Action bringing a response to be due on or before January 19, 2006. A three-month petition for extension of time and fee by way of authorization to charge Deposit Account No. 50-2510 accompanies this Amendment, bringing a response to be filed on or before April 19, 2006. Upon entry of this Amendment Claims 73-86 and 88-90 will remain pending in the case.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks** begin on page 5 of this paper.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450, on

04/19/06

Date

Raymond J. Harmuth, Reg. No. 33,896

Name of applicant, assignee or Registered Representative

Signature

April 19, 2006

Date